

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-02917-TJK**

TOBIAS v. U.S. DEPARTMENT OF INTERIOR, OFFICE OF
THE SECRETARY
Assigned to: Judge Timothy J. Kelly
Cause: 05:552 Freedom of Information Act

Date Filed: 12/12/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**JIMMY TOBIAS**

represented by **Merrick Jason Wayne**
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: merrick@loevy.com
ATTORNEY TO BE NOTICED

Joshua Hart Burday
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: joshb@loevy.com
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. DEPARTMENT OF INTERIOR,
OFFICE OF THE SECRETARY**

represented by **Jason Todd Cohen**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2523
Fax: (202) 252-2599
Email: jason.cohen@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/12/2018	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF INTERIOR, OFFICE OF THE SECRETARY (Filing fee \$ 400 receipt number 0090-5835545) filed by JIMMY TOBIAS. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Civil Cover Sheet Civil Cover Sheet, # <u>14</u> Summons Summons)(Burday, Joshua) (Entered: 12/12/2018)
12/12/2018	<u>2</u>	NOTICE of Appearance by Joshua Hart Burday on behalf of JIMMY TOBIAS (Burday, Joshua) (Entered: 12/12/2018)
12/13/2018		Case Assigned to Judge Timothy J. Kelly. (zef,) (Entered: 12/13/2018)
12/13/2018	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF INTERIOR, OFFICE OF THE SECRETARY, U.S. Attorney and U.S. Attorney General

		(Attachments: # <u>1</u> Notice and Consent)(zef,) (Main Document 3 replaced on 12/13/2018) (zef,). (Entered: 12/13/2018)
02/08/2019	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF INTERIOR, OFFICE OF THE SECRETARY served on 12/20/2018 (Burday, Joshua) (Entered: 02/08/2019)
02/08/2019	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 12/21/2018. (Burday, Joshua) (Entered: 02/08/2019)
02/08/2019	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 12/21/2018. Answer due for ALL FEDERAL DEFENDANTS by 1/20/2019. (Burday, Joshua) (Entered: 02/08/2019)
02/15/2019	<u>7</u>	NOTICE of Appearance by Jason Todd Cohen on behalf of U.S. DEPARTMENT OF INTERIOR, OFFICE OF THE SECRETARY (Cohen, Jason) (Entered: 02/15/2019)
02/15/2019	<u>8</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by U.S. DEPARTMENT OF INTERIOR, OFFICE OF THE SECRETARY (Cohen, Jason) (Entered: 02/15/2019)
02/19/2019		MINUTE ORDER granting Defendant's <u>8</u> Motion for Extension of Time to Answer. It is hereby ORDERED, for good cause shown, that Defendant's motion is GRANTED. Defendant shall answer or otherwise respond to Plaintiff's <u>1</u> Complaint no later than April 12, 2019. Signed by Judge Timothy J. Kelly on 2/19/2019. (lctjk2) (Entered: 02/19/2019)
04/12/2019	<u>9</u>	ANSWER to Complaint by U.S. DEPARTMENT OF INTERIOR, OFFICE OF THE SECRETARY.(Cohen, Jason) (Entered: 04/12/2019)
04/15/2019		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties shall meet, confer, and file a joint proposed schedule for briefing or disclosure no later than May 3, 2019. Signed by Judge Timothy J. Kelly on 4/15/2019. (lctjk2) (Entered: 04/15/2019)
04/15/2019		Set/Reset Deadlines: Joint Proposed Briefing Schedule or Disclosure due by 5/3/2019. (kh) (Entered: 04/15/2019)
05/03/2019	<u>10</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF INTERIOR, OFFICE OF THE SECRETARY. (Cohen, Jason) (Entered: 05/03/2019)
05/03/2019		MINUTE ORDER: In light of the parties' <u>10</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report no later than July 5, 2019. Signed by Judge Timothy J. Kelly on 5/3/2019. (lctjk2) (Entered: 05/03/2019)
07/11/2019		MINUTE ORDER: On May 3, 2019, the Court ordered the parties to submit a joint status report no later than July 5, 2019. The parties have not done so. Accordingly, it is hereby ORDERED that, no later than July 12, 2019, the parties shall submit a joint status report apprising the Court of Defendant's progress processing Plaintiff's FOIA request. That report shall also address why the parties failed comply with the Court's prior deadline. Signed by Judge Timothy J. Kelly on 7/11/2019. (lctjk2) (Entered: 07/11/2019)
07/12/2019	<u>11</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF INTERIOR, OFFICE OF THE SECRETARY. (Cohen, Jason) (Entered: 07/12/2019)
07/12/2019		MINUTE ORDER: In light of the parties' <u>11</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report no later than September 18, 2019. Signed by Judge Timothy J. Kelly on 7/12/2019. (lctjk2) (Entered: 07/12/2019)
08/06/2019	<u>12</u>	NOTICE of Appearance by Merrick Jason Wayne on behalf of JIMMY TOBIAS (Wayne, Merrick) (Entered: 08/06/2019)
09/23/2019		MINUTE ORDER: On July 12, 2019, the Court ordered the parties to submit a joint status report no later than September 18, 2019. They parties have not done so. This is now the second time that the parties have failed to comply with the Court's orders,

		conduct which demonstrates disregard for the parties' obligations to the Court and that the parties do not take this litigation seriously. Accordingly, it is hereby ORDERED that, no later than September 25, 2019, the parties shall file a joint status report apprising the Court of Defendant's progress processing Plaintiff's FOIA request. That report shall also address why the parties, for a second time, failed to comply with the Court's prior deadline. The Court expects a more thorough explanation than "inadverten[ce]" and a "failure to properly communicate." ECF No. 11. Signed by Judge Timothy J. Kelly on 9/23/2019. (lctjk2) (Entered: 09/23/2019)
09/25/2019	<u>13</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF INTERIOR, OFFICE OF THE SECRETARY. (Cohen, Jason) (Entered: 09/25/2019)
09/26/2019		MINUTE ORDER: In light of the parties' <u>13</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report no later than November 25, 2019. Signed by Judge Timothy J. Kelly on 9/26/2019. (lctjk2) (Entered: 09/26/2019)